

United States Courts
Southern District of Texas
FILED

**United States Court of Appeals
for the Fifth Circuit**

November 30, 2021

Nathan Ochsner, Clerk of Court

United States Court of Appeals
Fifth Circuit

FILED

October 25, 2021

Lyle W. Cayce
Clerk

No. 20-20574

STEVEN F. HOTZE, M.D.; WENDELL CHAMPION; HONORABLE
STEVE TOTH; SHARON HEMPHILL,

Plaintiffs—Appellants,

versus

TENESHIA HUDSPETH, IN HER OFFICIAL CAPACITY AS HARRIS
COUNTY CLERK,

Defendant—Appellee,

ANDREA CHILTON GREER; YEKATERINA SNEZHKOVA; JOY
DAVIS-HARASEMAY; DIANA UNTERMAYER; MICHELLE
COLVARD; KAREN VIDOR; MALKIA HUTCHINSON-ARVIZU;
ANTON MONTANO; HELEN SHELTON; ELIZABETH FURLER;
ALAN MAUK; JENN RAINEY; BRIAN SINGH; MARY BACON;
KIMBERLY PHIPPS-NICHOL; NYGUEN GRIGGS; NELSON
VANEGAS; JESSICA GOODSPERO; AMY ASHMORE; RICHARD
FRANKEL; ELAINE FRANKEL; RYAN FRANKEL; CELIA VESELKA;
SERGIO ALDANA; RUSSELL "RUSTY" HARDIN; DOUGLAS MOLL;
CAREY JORDAN; CHRISTINA MASSARA; JERELYN M. GOODEN;
STANLEY G. SCHNEIDER; MARY CURRIE; CARLTON CURRIE,
JR.; JEKAYA SIMMONS; DANIEL COLEMAN; DAVID HOBBS;
BETTYE HOBBS,

Intervenor Defendants—Appellees.

No. 20-20574

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:20-CV-3709

Before DAVIS, HAYNES, and OLDHAM, *Circuit Judges*.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED IN PART and REVERSED IN PART, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that appellants pay to appellees the costs on appeal to be taxed by the Clerk of this Court.

ANDREW S. OLDHAM, *Circuit Judge*, dissenting.



Certified as a true copy and issued
as the mandate on Nov 30, 2021

Attest:

Stacy W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

. United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

November 30, 2021

Mr. Nathan Ochsner
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

No. 20-20574 Hotze v. Hudspeth
USDC No. 4:20-CV-3709

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Shawn D. Henderson, Deputy Clerk
504-310-7668

cc:

Mr. Kenneth Royce Barrett
Mr. Adriel I. Cepeda Derieux
Ms. Lindsey Beth Cohan
Mr. Marc Erik Elias
Mr. Jon Marshall Greenbaum
Mr. Perry Maxwell Grossman
Mr. Dale E. Ho
Mr. David L. Hobbs
Mr. David Keith Isaak
Ms. Sophia Lin Lakin
Ms. Theresa J. Lee
Mr. Richard Warren Mithoff Jr.
Mr. Daniel C. Osher
Mr. Russell S. Post
Mr. John Michael Powers
Mr. Davin McKay Rosborough

Mr. Ezra D. Rosenberg
Mr. Andrew Layton Schlafly
Mr. Stanley G. Schneider
Mr. Andre Segura
Mr. Larry R. Veselka
Mr. Jared Ryker Woodfill V